

**ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021**  
**COMMITTEE STATEMENT**  
**LB568**

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**Hearing Date:** Friday February 05, 2021  
**Committee On:** Judiciary  
**Introducer:** Pansing Brooks  
**One Liner:** Change provisions relating to truancy, juvenile courts, the Community-based Juvenile Services Aid Program, the Commission Grant Program, and compulsory education

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 6 Senators Brandt, DeBoer, Lathrop, McKinney, Morfeld, Pansing Brooks  
**Nay:**  
**Absent:**  
**Present Not Voting:** 2 Senators Geist, Slama

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**Oral Testimony:**

**Proponents:**

Senator Patty Pansing Brooks  
Laura Opfer  
Lawrence Gendler  
Kim Hawekotte  
Shellie Cowan  
Anne Hobbs  
Jennifer Houlden

**Representing:**

Introducer  
Nebraska Children's Commission  
Self  
Douglas County Board  
Hall County Public Defender  
Self  
Lancaster County Public Defender & DCDAA

**Opponents:**

**Representing:**

**Neutral:**

Elaine Menzel

**Representing:**

Nebraska Association of County Officials

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**Submitted Written Testimony:**

**Proponents:**

Jason Hayes  
Julie Erickson  
Amber Bogle  
Christine Henningsen

**Representing:**

Nebraska State Education Association  
Voices for Children  
Children & Family Coalition of Nebraska  
Nebraska Youth Advocates

**Opponents:**

Sara Kay

**Representing:**

Nebraska County Attorneys Association

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

The majority of the changes in LB568 are to replace the term "truancy" with "excessive absenteeism".

Section 4 would amend Sec. 43-247 to remove school truancy from the juvenile court's (3)(b) jurisdiction. This section would clarify that a juvenile court may address excessive absenteeism in other cases, but is no longer an independent basis for juvenile court jurisdiction.

Section 9 would amend Sec. 43-260.03 to add providing services to juveniles with excessive absences from school to the goals of juvenile pretrial diversion programs. Section 10 would amend Sec. 43-260.04, Section 11 would amend Sec. 43-260.05, Section 12 would amend Sec. 43-274, and Section 13 would amend Sec. 43-276 to include and harmonize references to allow juvenile diversion programs to offer such services.

Section 16 would amend Sec. 43-2404.02 to expand the allowable uses of the Community-based Juvenile Services Aid distributed to counties to include reducing the risk of juveniles coming into contact with the juvenile justice system.

Section 17 would amend Sec. 43-2404.03 to change the intent of the Legislature to appropriate \$10 million per year to the Community-based Juvenile Services Aid Program. The current stated amount is \$5 million.

Section 18 would amend Sec. 43-2405 to make a change related to applicants for Community-based Juvenile Services Aid. Under current law, the applicants (counties and tribes) are allowed to "give consideration to contracting with private nonprofit agencies for the provision of programs". This section would eliminate the reference to "private nonprofit". The effect of this change is unclear. Applicants are not currently specifically restricted from "giving consideration" to agencies that are not private nonprofits.

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**Explanation of amendments:**

This amendment would change Section 17 to change the increase in Community-based Juvenile Services Aid to \$8.5 million and delay the change until FY2024.

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Steve Lathrop, Chairperson